

# CPC Minutes of May 17, 2011

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, May 17, 2011 at 4:45 p.m. in the Department of the Planning and Development (DPD) 4<sup>th</sup> Floor Auditorium, 400 Westminster Street, Providence, Rhode Island.

Opening Session

Call to order: Chairman Durkee called the meeting to order at 4:44 p.m.

Members Present: Chairman Stephen Durkee, Vice Chairman Harrison Bilodeau, Meredyth Church, Ina Anderson, and Luis Torrado

Members Absent: Andrew Cortes and JoAnn Ryan

Staff Present: Robert Azar, Melanie Army, Choyon Manjrekar and City Solicitor Jeff Padwa.

Approval of meeting minutes from April 12, 2011: Mr. Bilodeau made a motion seconded by Ms. Church to approve the minutes. All voted in favor.

## PROVIDENCE TOMORROW

### **1. Comprehensive Plan Update - Presentation updates to Providence Tomorrow: The Interim Comprehensive Plan based on the results of neighborhood charrettes and public input – for discussion**

Ms. Army presented updates to Chapter 5 Business and Jobs and Chapter 6 Housing. She said that the plan could be accessed and commented on at [providencetomorrow.wordpress.com](http://providencetomorrow.wordpress.com). Updates to Chapter 5 included new language on the recession and deletion of language about the building boom. Changes were made to language on transportation and language was added on the green economy. Pages 46 and 47 were unchanged and an objective to support transit as a tool for economic development was also added. In Chapter 6 an update to the owner's condition of housing was added and information on the housing boom was removed. Language about the cost of housing was added and outdated information from 2007 was removed. Some sentences in the Section on challenges and language on the elimination of the State Historic Tax Credit were removed. Ms. Army elaborated other language updates. Mr. Bilodeau asked if information about home sales could be changed to show prices still increasing in 2006. Ms. Army said she would check the data. She elaborated other changes to the chapter.

Mr. Bilodeau asked if the Historic District Commission (HDC) was involved in the Tax Credit program. Ms. Army said the State Historic Tax Credit was separate from the Commission, but if it was reinstated, applicants would be required to request it from the State. Ms. Anderson asked if language in the Housing chapter about Transit and development around nodes would be based on existing development or implemented through zoning changes. Ms. Army said it would be along existing transit lines and also along the most appropriate transit lines along existing and future transit areas.

### **2. Case No. 10-030MI – 1144 Chalkstone Avenue - Subdivision of a lot measuring 6,870 SF into two lots measuring 3,835 SF and 3,021 SF – for action**

Mr. Azar said the DPD had received a written request from the applicant requesting withdrawal without prejudice. Mr. Bilodeau made a motion seconded by Ms. Church to withdraw the item. All voted in favor.

### **3. Case No. 11-05MA - 50 Cedar Street - Preliminary plan review of proposed construction of a new six story office building that includes two levels of internal parking on a site currently used as a parking lot – for action. (AP 26 Lot 182, Federal Hill)**

**Note: A stenographer's transcript is part of the record**

Mr. Azar introduced the project. Attorney Glen Whitehead introduced the project and Dominic Shelzi presented the plans. He said changes were made to the landscape plan, a traffic study was conducted, elevations were refined and a lighting plan provided. Mr. Torrado asked what the Commission's role was in reviewing plans. Mr. Durkee said the Commission did not delve deeply into design issues but looked at issues like massing and the building footprint. A discussion ensued on the Commission's role regarding approval. Ms. Church asked if the demolition had begun. Mr. Shelzi said it had not. She asked if signage was finalized. Mr. Distefano said it was not and it would probably be the anchor tenant. Mr. Durkee said he felt the lighting was excessive. Mr. Distefano said he would explore options to refine the lighting. Mr. Durkee said light poles should be no taller than 18 feet. A discussion on site lighting ensued. Mr. Richard Murray, an abutter on West Exchange Street asked for a copy of the traffic study and said that Bradford Street was too narrow two way traffic. Mr. DiStefano said that the study recommended that Bradford Street be made one way to ease traffic flow. Mr. Shelzi said that the traffic study determined that most of the traffic would be coming from Dean Street and Route 10, so few problems were expected at that intersection. Mr. Murray asked if the traffic study addressed the loss of parking spaces. Mr. Shelzi said that was an issue for zoning.

Mr. Francis Diprete said he opposed the project and based on his understanding of the Ordinance, the project should not be built as it is required to front on a street Downtown that had enough space for two-way traffic and space for cars parking on either side of the street, which Jones and Bradford do not provide. He said that the sidewalk was too narrow to accommodate the change in use and would cause problems when clearing snow. He said that the building height exceeded what was allowed and asked for the opinion of an urban planner or member of the Historic District Commission (HDC). Mr. Azar said the building height was appropriate, the DPD staff was composed of urban planners and the building did not require HDC review as it wasn't in a historic district. Mr. Diprete said the property would be too close to Jones Street. Mr. Durkee said the building was required to be built to the property line. Mr. Diprete said that development in the D-2 zone required improvements. Mr. Azar said it wasn't required. Ms. Roberta Faloco said she wanted more information on the traffic pattern and if the study pertained to Bradford Street or the whole neighborhood. Mr. Shelzi said the study found that the building would not have a major impact on traffic as most of the traffic would come from Dean Street. Ms. Faloco asked how traffic would be controlled during construction. Mr. Shelzi said no traffic would be diverted during construction. Mr. Durkee called on Guido and Lucy Conti who said they had no comment.

Mr. Azar read out the staff report which found the project to be in conformance with the Zoning Ordinance and Comprehensive Plan. Mr. Durkee said that the developers should keep residents informed of any changes in the area. Ms. Anderson made a motion seconded by Ms. Church to approve the plan subject to the findings of fact and DPD's recommendations. All voted in favor.

**4. Major Change to Project 02-095MA – Rising Sun Mills - The applicant is proposing a major change to an approved project with the addition of 94 parking spaces in a mixed use development through addition of new parking area and restriping of existing spaces – for action.**

**Note: A stenographer's transcript is part of the record**

Ms. Church recused herself from the item and left the meeting. Mr. Azar introduced the project, presented by Mr. Mark Van Noppen. Mr. Van Noppen said the anchor tenant of Rising Sun Mills had expanded, putting pressure on parking and wanted to expand the number of total parking spaces - to 460 from 389 - to accommodate his tenant. The plan added spaces by restriping the lot in certain areas, adding parking space and increasing the number of compact spaces. Some spaces in the rear were created by adding gravel. The spaces to the rear are in the path of a bike path to be built by the Department of Transportation, but he desired to park in the area till a bike path was constructed. Permission would be required from the Department of Environmental Management (DEM) to park within the 25 foot buffer to the river at the rear. He said he would install any drainage measures required by DEM. Mr. Azar asked if the parking spaces would hold up the bike path. Mr. Van Noppen said he wanted permission to park till the bike path was finalized. A discussion on the bike path ensued. Mr. Torrado asked if there was space to maneuver cars in certain areas on the lot. Mr. Van Noppen said it was sufficient. Mr. Azar said the applicant would be requesting zoning relief for reduced drive aisle width and had no objection to reduced width if it suited the applicant. Mr. Azar asked if the applicant had explored alternatives like valet parking. Mr. Van Noppen said it was a possibility, but the tenant preferred onsite parking. A discussion on the site configuration ensued. Mr. Durkee asked

if the spaces by the river would affect the bike path. Mr. VanNoppen said they would not. A discussion on the proximity of the parking spaces to the river ensued. Mr. Van Noppen said he supported the bike path. Mr. Azar said the DPD was not in favor of spaces encroaching into the 25 foot buffer for aesthetic and environmental reasons. Mr. Bilodeau asked if there were alternative areas to locate the parking spaces by the river. Mr. Van Noppen said relocating parking spaces would result in the loss of green, pervious surface. Mr. Bilodeau asked if the spaces could be used on a temporary basis till the applicant obtained more parking. Mr. Van Noppen said the spaces could be located in a lot across the street. A discussion on alternatives ensued. Ms. Anderson asked what would happen if the parking spaces weren't approved. Mr. Van Noppen said alternatives would be sought out when the bike path arrived, but required the spaces for his tenant till the bike path was constructed. Mr. Bilodeau said he felt the applicant should have the time requested and that the applicant would obtain the necessary approvals.

Mr. Oscar Lemus made comments about the fish ladder on the river and said it contributed to flooding. Mr. Durkee said that was irrelevant to the project. Mr. Lemus suggested that the applicant could make use of the parking lot across from the Cuban Revolution restaurant on Valley Street. Mr. Van Noppen said he had inquired and those spaces weren't available. Mr. Lemus said he was approached by an individual to provide 16 spaces on his lot, but did not want to provide the space. A discussion on parking arrangements ensued. Mr. Lemus asked if parking would affect snow removal. Mr. Bilodeau said that snow would be hauled off the site.

Mr. Torrado asked if the applicant could layout the parking spaces by the river horizontally to permit parallel parking, which would minimally intrude into the buffer area but result in the loss of about four parking spaces. Mr. Van Noppen said it might not be possible. Mr. Azar said the board could suggest the option as a recommendation to the zoning board as a temporary measure for a period of about one year. Mr. Van Noppen asked what would happen upon expiration of the period or if the bike path were to come through. Mr. Azar said the spaces would have to be removed. Mr. Durkee asked if it was possible to put spaces to the east of the lot. Mr. Van Noppen said it would negatively affect the landscaping pattern and lot layout. Ms. Anderson asked what the purpose of the 25 foot buffer was. Mr. Azar said the requirement in the Zoning Ordinance was meant to be in conformance with DEM regulations and to pull back development from waterways for environmental and aesthetic purposes. A discussion ensued on buffer requirements.

Mr. Bilodeau made a motion to approve the plan for two years and make a positive recommendation to the zoning board for the variances requested with the condition that the applicant remove the parking spaces if the bike path came through and make alternative parking arrangements. The motion was not seconded.

Mr. Torrado made a motion seconded by Ms. Anderson to have the applicant revise the plan so that spaces did not intrude more than 5 feet into the waterway buffer area. Mr. Van Noppen said he would require more time to revise the design. Mr. Azar said that would help define the spaces in relation to the river.

Mr. Durkee asked if there was a motion to continue. Mr. Torrado withdrew his previous motion and made a motion to continue seconded by Ms. Anderson. All voted in favor.

Mr. Bilodeau made a motion seconded by Mr. Torrado to adjourn the meeting. All voted in favor.

The meeting adjourned at 7:20 pm.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'C. Manjrekar' with a stylized flourish at the end.

Choyon Manjrekar,  
Recording Secretary